

AMENDED IN SENATE APRIL 28, 2005

AMENDED IN SENATE MARCH 30, 2005

**SENATE BILL**

**No. 975**

---

**Introduced by Senator Ashburn**

February 22, 2005

---

An act to add *and repeal* Article 6 (commencing with Section 43860) of Chapter 4 of Part 5 of Division 26 ~~to~~ of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

SB 975, as amended, Ashburn. Air quality: biodiesel fuel.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to establish, by regulation, various standards for gasoline and motor vehicle fuel.

This bill would provide that any public agency, or regulated utility may use biodiesel or biodiesel blended fuel ~~in a qualified, as defined, in any retrofitted vehicular or off-road diesel engine certified by the state board to comply with federal ambient air quality requirements, federal energy policy statutes, federal executive orders, and other federal energy security mandates.~~

*This bill would repeal its provisions on January 1, 2008, as specified.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

SECTION 1. Article 6 (commencing with Section 43860) is added to Chapter 4 of Part 5 of Division 26 of the Health and Safety Code, to read:

Article 6. Biodiesel and Biodiesel Blend Fuels

43860. (a) ~~Notwithstanding any other provision of law, any~~ Any federal, state, or local agency, or any regulated utility may utilize biodiesel or biodiesel blend fuel in any retrofitted vehicular or off-road diesel engine certified by the state board ~~to comply with the federal Clean Air Act, as amended, the federal Energy Policy Act of 1992, as amended, Executive Order No. 13149, or any other federal energy security mandate.~~

(b) For purposes of this section:

(1) "Biodiesel" means a fuel comprised of mono-alkyl esters of long chain fatty acids derived from vegetable oils or animal fats, designated B100, and meeting the requirements of the American Society for Testing and Materials (ASTM) D-6751.

(2) "Biodiesel blend" means a blend of biodiesel fuel meeting the requirements of the American Society for Testing and Materials (ASTM) D-6751 with petroleum-based diesel fuel, designated ~~BXX, where XX~~ B20, *where 20 represents the volume percentage of biodiesel fuel in the blend, with the remaining 80 percent comprised of California Air Resources Board (CARB) diesel.*

(c) *This article shall remain in effect until January 1, 2008, and on the date is repealed unless a later enacted statute, that is enacted before January 1, 2008, deletes or extends that date.*